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Attorney Docket No. 11000.1021c1U
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re : **Marion Wood et al.** Group Art Unit: 1637
Application No. : 09/640,211
Filed : August 16, 2000
Title : **COMPOSITIONS AND METHODS FOR THE
MODIFICATION OF GENE TRANSCRIPTION**
Examiner : Joyce Tung

DECLARATION OF DR. ELIZABETH VISSER

Assistant Commissioner for Patents
Washington, D.C. 20231

The undersigned, Dr. Elizabeth Visser, hereby declares:

1. I am presently the Patent Manager at Genesis Research and Development Corporation Limited, one of the assignees of record of the subject patent application. I have a D.Sc(agric.) in the field of molecular biology and I previously held the position of Senior Scientist at Genesis Research and Development Corp. Ltd.

2. An alignment of the Myb26 sequence of Uimari et al. with SEQ ID NO: 2076 of the present invention is attached hereto as Exhibit A. This alignment shows that there overlap between these two sequences only from nucleotides 64 to 406 of SEQ ID NO: 2076.

3. I determined the percentage identity of the sequence of Uimari et al and SEQ ID NO: 2076 using BLASTN as described in the subject patent application. The percentage identity between the two sequences is 30.6%.

4. The undersigned further declares that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful, false statements, and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 35 of the United States Code.

ES Visser
Elizabeth Visser, D.Sc.(agric)

7 February 2003
Date